

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:


A Resolution declaring the sale and transfer of City owned property in the 1800 block of Chestnut to be in the best interest of the City and authorizing its sale and conveyance.

☐ Briefing
☐ Proposed Action
☐ Consent
2/10 Action
☐ First Reading
☐ Second Reading
☐ Third Reading
2/10 Public Hearing
☐ Budget Advisory

COUNCIL BILL #
 Originating Department
 Contact Person
 Phone Number
 FOR AGENDA OF

Real Property
Barb Hardman
425-257-7294
February 2, 2016

Initialed by:
 Department Head
 CAA
 Council President

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
1800 Block of Chestnut Street		Resolution, Quit Claim Deed, Site Map, Exhibit	Legal, Utilities, Real Property

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):
Budget Remaining	-0-	
Additional Required	-0-	

DETAILED SUMMARY STATEMENT:

The City owns a five foot wide strip of property located in the 1800 block of Chestnut Street. This strip is not wide enough to provide for underground utility purposes. Haack Brothers Inc. owns the abutting property and proposes to grant to the City a five foot wide easement across their property in exchange for the fee simple interests of the City owned property, subject to the reservation of a utility easement and resulting in an overall ten foot wide utilities easement to the City.

City staff has evaluated the exchange of property rights and determined them to be of equal value and the exchange to be in the best interest of the City.

The attached Resolution and Quit Claim Deed provides for the exchange and complies with the City Charter and the requirements of Ordinance No. 2935-06 establishing the process for the sale and transfer of City owned real property.

RECOMMENDATION:

Adopt a Resolution declaring the sale and transfer of City owned property in the 1800 block of Chestnut to be in the best interest of the City and authorizing its sale and conveyance -and- authorizing the Mayor to sign the quit claim deed and take all other actions necessary to complete the transfer of the property.



RESOLUTION NO. _____

A RESOLUTION declaring the sale and transfer of City owned property in the 1800 block of Chestnut to be in the best interest of the City and authorizing its sale and conveyance.

WHEREAS, review of that certain City owned real property as described in Exhibit A, attached hereto and incorporated herein by reference, has been completed by all City Departments and has received approval of the Mayor; and

WHEREAS, the City of Everett did hold a public hearing on _____, 2016, regarding the proposed sale and conveyance of the City owned property; and

WHEREAS, the Everett City Council finds and determines that the real property described in Exhibit A, which is generally located in the 1800 block of Chestnut Street, is not needed for City purposes other than for possible underground utility purposes, however is too narrow for such purposes; and

WHEREAS, Haack Brothers Inc. owns the abutting property, which is described in Exhibit B, attached hereto and incorporated herein, and proposes to grant to the City an easement for underground utility purposes across said Haack Brothers Inc. property in exchange for the fee simple ownership interest of the owned City property described in Exhibit A; and

WHEREAS, city staff has conducted an evaluation of the transfer of the fee ownership interest (subject to reservation of a utilities easement) of the five foot wide city owned property described in Exhibit A, in exchange for a five foot wide easement for utility purposes across the Haack Brothers Inc. property described in Exhibit B, and determined each to be of equal value and an even exchange; and

WHEREAS, the Everett City Council finds that the City is acting in compliance with the City Charter and the requirements of Ordinance No. 2935-06 establishing the process for the sale and transfer of City owned real property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERETT as follows:

Section 1: The sale and conveyance of the fee simple interest in the City owned real property described in Exhibit A, in exchange for an easement for utility purposes across the real property owned by Haack Brothers Inc. described in Exhibit B, to be in the best interest of the City and of equal value.

Section 2: The Mayor is authorized to execute a quit claim deed to transfer the fee ownership interest (subject to reservation of a utilities easement) of the five foot wide city owned property described in Exhibit A, in exchange for a five foot wide easement for utility purposes across the Haack Brothers Inc. property described in Exhibit B, and to take all other actions necessary to complete the transfer of such properties.

Councilperson Introducing Resolution

PASSED and APPROVED this _____ day of _____, 2016.

Council President

QUIT CLAIM DEED

GRANTOR, **CITY OF EVERETT**, a municipal corporation of the State of Washington, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, conveys and quit claims to **HAACK BROTHERS INCORPORATED**, a Washington Corporation, the following described real estate, including any interest therein which grantor may hereafter acquire, situated in Snohomish County, in the State of Washington;

**LOT 24, BLOCK 405, PLAT OF RIVERDALE ADDITION TO EVERETT ACCORDING TO
THE PLAT THEREOF, RECORDED IN VOLUME 10 OF PLATS, PAGE 45,
RECORDS OF SNOHOMISH COUNTY, WASHINGTON.**

**SUBJECT TO AN EASEMENT FOR UTILITIES ACROSS THE ENTIRE LOT DESCRIBED
ABOVE.**

Dated this _____ day of _____ 2016.

CITY OF EVERETT, a municipal corporation of the State of Washington

By: _____
Ray Stephanson, Mayor

ATTEST:

By: _____
Sharon Marks, City Clerk

APPROVED AS TO FORM:

By: _____
Jim Iles, City Attorney

STATE OF WASHINGTON)

:SS.

County of Snohomish)

I certify that I know or have satisfactory evidence that **Ray Stephanson**, signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the **Mayor of the City of Everett** to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

Signature of
Notary Public: _____

Notary (print name)_____

Residing at_____

My appointment expires:_____

Exhibit "A"

City of Everett Real Property Surplus Property:

TAX ACCOUNT NUMBER: 00556340502400

Size: Approximately .01

Acres.

18XX Chestnut St.

LEGAL DESCRIPTION:

LOT 24, BLOCK 405, PLAT OF RIVERDALE ADDITION TO EVERETT ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 10 OF PLATS, PAGE 45, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SUBJECT TO AN EASEMENT FOR UTILITIES ACROSS THE ENTIRE LOT DESCRIBED ABOVE.

**Proposed Property Exchange between City
of Everett and Haack Brothers Inc.**

